

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929

CRP.No. 789 of 2007()

AGAINST THE ORDER DATED 06/08/2007 IN EA 30/2003 IN EP 7/2001 IN
OS.331/1997 of MUNSIF COURT, HARIPAD
.....

PETITIONER/CLAIM PETITIONER

RAMAKRISHNAN NAIR, S/O.KUMARAN NAIR
CHAVARICKAL VEEDU, CHATHINAMKULATHIL
CHERIYIL, KILIKOLLUR PANCHAYAT, KOLLAM TALUK.

BY ADV. SRI.C.JAYACHANDRAN (KAYAMKULAM)
SRI.K.S.SAJEEV KUMAR

RESPONDENTS/RESPONDENTS

1. SANKARAN NAIR, S/O.KUMARAN NAIR
VIRIYANA VEETIL, AYAPARAMBU MURI
CHERUTHANA VILLAGE.
2. SREEKUMARAN NAIR, S/O.KUMARAN NAIR
THEKKEVIRIYANA VEEDU, AYAPARAMBU MURI
CHERUTHANA.
3. THULASI S. KUMAR, W/O.SREEKUMARAN NAIR
THEKKEVIRIYANA VEEDU, AYAPARAMBU MURI,
CHERUTHANA.

BY

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 24/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Order on I.A.No.2121/2007 in C.R.P.No.789/2007

24.8.2007 Dismissed Sd/- M.Sasidharan Nambiar
Judge

/true copy/

P.S. To Judge

M.Sasidharan Nambiar,J.

C.R.P.No.789 of 2007

Dated this the 24th day of August, 2007

O.R.D.E.R

This Civil Revision Petition is filed challenging the dismissal of a petition filed under Rule 98 of Order XX1 of Code of Civil Procedure. Under Rule 103 of Order XX1, the order is to be treated as a decree and "have the same force and be subject to the same conditions as to an appeal or otherwise as if it were a decree". When an appeal is provided no revision will lie. Hence the revision petition is dismissed as not maintainable with liberty to the petitioner to challenge the order in an appeal. Return the original order of the executing court to petitioner.

M.Sasidharan Nambiar
Judge

tpl/-

M.SASIDHARAN NAMBIAR, J.

CRL.R.P.NO. /97

ORDER

MARCH, 2006